
TOO GOOD TO BE TRUE....

A Column on Consumer Issues

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June 18, 2003

QUIZ ON TELEMARKETING RIGHTS FOR CONSUMERS

Anyone with a telephone is vulnerable to the high-pressure sales tactics and enticing offers of the telemarketer. Fraudulent telemarketers are skilled liars and experts at verbal camouflage. They peddle everything from overpriced magazines to so-called "free" or "low-cost" vacation packages. Of course, selling products or services by phone is not in itself a crime. Many telemarketers represent honest, reputable businesses. But because so many customers enjoy the ease and convenience of shopping by phone, it is an attractive tool for unscrupulous salespeople and con artists.

During the last legislative session, a state law was passed that will allow North Dakota consumers an opportunity to register on a "**do not call**" list, at no cost to them, to prevent telemarketing calls. This law goes into effect on August 1, 2003. The Attorney General's office will maintain a "do not call" list in coordination with the Federal Trade Commission. Telemarketers will be required to purchase the list every ninety days. Pre-registration to be on the North Dakota 'Do Not Call' list can be done by accessing the Attorney General's website at www.ag.state.nd.us.

To continue increasing awareness of telemarketing fraud, we are offering this quiz on telemarketing rights for consumers.

1. Which of the following types of telephone offers require a fee up front?

- A. Guaranteed loan offers.
- B. Programs to help recover money lost previously to scam operators.
- C. Prize offers.
- D. Services offering to repair poor credit records.

ANSWER: **None**. The law prohibits telemarketers from collecting fees in advance for any of these services. In the case of prize offers, they can't require that you purchase other goods or services and they can't charge you for handling, taxes, or other fees. You never have to pay to play or win.

2. What is the best way to keep a particular telemarketing company from calling you again?

- A. Hang up on them.
- B. Register on the Do Not Call list.
- C. File a complaint against them with consumer authorities.
- D. Put the salesperson on hold for a LONG time.

ANSWER: "B" is correct. You can register on the North Dakota "Do Not Call" list to help eliminate almost all telemarketing calls. The "Do Not Call" list is now available, but the new law does not take effect until August 1. If you register a phone number between now and July 31, it will be a violation for a telemarketer to call you after November 1. If you register a phone number after July 31, it will be a violation for a telemarketer to call you more than 90 days after you have registered (for example, if you register your phone number on August 15, telemarketers can call that number until November 15 without violating the law).

3. If an unfamiliar telephone salesperson asks you to pay for your purchase by personal check and to give your checking account number on the telephone, what should you do? (Circle all that apply.)

- A. Be cautious.
- B. Ask if payment by credit card also is acceptable.
- C. Expect the seller to provide some type of verifiable authorization for payment made this way.
- D. All of the above.

ANSWER: **"D" is correct.** Always be careful when doing business with a seller you don't know. Giving your checking account number out over the phone is risky – an unscrupulous person or company can clean you out. Paying by credit card gives you additional protection because you can work through the company issuing the credit card to challenge purchases that don't turn out as promised or guaranteed.

4. The law says telemarketers cannot (Check all that apply.):

- A. Call anyone who has registered on the "do not call" list.
- B. Call your home before 8 a.m. or after 9 p.m.
- C. Block your Caller ID service.
- D. Use a pre-recorded or synthesized message unless you have consented to the message or the message is immediately preceded by a live operator who obtains your consent before the message is delivered.

ANSWER: **All these acts are illegal.** Telemarketers must not call outside the designated calling times of 8 a.m. and 9 p.m. Telemarketers must tell you what is being promoted, along with the caller's name, location and the business name. They cannot block your caller id nor use automatic dialing-announcing devices that don't disconnect within ten seconds.

If you have been victimized by telemarketing fraud, call the Attorney General's Consumer Protection Division at 701-328-3404, 1-800-366-6888 (w/TYY), or toll free at 1-800-472-2600.

The Attorney General's Consumer Protection Division investigates allegations of fraud in the marketplace. Investigators also mediate individual complaints against businesses. If you have a consumer problem or question, call the Consumer Protection Division at 328-3404, toll-free at 1-800-472-2600, or 1-800-366-6888 (w/TTY). This article and other consumer information is located on our website at www.ag.state.nd.us.

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